

## REMARKS

Currently, claims 1-20 and 41-54 remain pending in the present application, including independent claims 1, 47, and 51. In the Office Action, all the claims were again rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of either U.S. Patent No. 5,952,251 issued to Jackson, et al. or PCT Publication No. WO 00/66824 issued to Neely, et al. with U.S. Patent No. 6,437,214 issued to Everett, et al.

Both primary references Jackson, et al. and Neely, et al. are cited as disclosing coform webs. However, as admitted by the Office Action, both of the primary references fail to disclose or suggest a web that has a uniformly dispersed second material onto the substantially continuous multicomponent filaments. In order to overcome the deficiencies of the two primary references, the Office Action cites Everett, et al. as disclosing a uniformly dispersed the second material in the substantially continuous multicomponent filaments.

Everett, et al. is cited by the Office Action as “providing evidence that coform webs comprising a blend of fibers and/or particulate can be homogenously mixed.” Office Action, Pg. 3. Specifically, the Office Action cites Everett, et al. for the statement that the “super-absorbent particles may be substantially homogeneously mixed with the **hydrophilic fibers**, or may be nonuniformly mixed.” Col. 14, rows 35-38, emphasis added. Thus, Everett, et al. actually discloses a substantially homogeneous mixture of the hydrophilic fibers (pulp fibers) and the absorbent particles. Then, the hydrophilic fibers and super-absorbent particle mixture is used to form a coform web with the synthetic polymer fibers, which are substantially hydrophobic.

No where does Everett, et al. disclose or suggest a coform nonwoven web having a substantially uniform structure. Furthermore, to support the fact that no disclosure of a

substantially uniform coform web is disclosed or suggested, the cited statement (disclosing a substantially homogeneous mixture of the hydrophilic fibers and super-absorbent material) is immediately followed by three different examples of non-uniformly mixed coform webs with a gradient in the z-direction. See Col. 14, rows 38-57. Thus, the resulting coform web of Everett, et al. is not substantially uniform. Applicants emphasize that the teachings of the references must be viewed in their entirety, i.e., as a whole, to sustain a *prima facie* case of obviousness under 35 U.S.C. §103(a). Further, the appropriate test under 35 U.S.C. §103(a) is not whether the differences between the prior art and the claims are obvious, but instead whether the claimed invention as a whole would have been obvious.

In stark contrast, the present disclosure generally is directed to a coform nonwoven web having a substantially uniform structure, such as claimed in independent claim 1. Applicants respectfully submit that only with present specification could the structure of claim 1 be attained, and any attempt to arrive at the structure of claim 1 through study of the cited references is only reachable from improper hindsight analysis after viewing Applicants' specification.


Applicants also submit that at least for the reasons indicated above relating to the corresponding independent claims, the dependent claims patentably define over the references cited. However, Applicants also note that the patentability of the dependent claims does not necessarily hinge on the patentability of their corresponding independent claim. In particular, some or all of the dependent claims may possess features that are independently patentable, regardless of the patentability of the independent claims.

In view of the above remarks and amendments, Applicants respectfully submit that the presently pending claims are in complete condition for allowance. As such, favorable

reconsideration and allowance of the claims are requested. Examiner Salvatore is invited and encouraged to telephone the undersigned, however, should any further questions or concerns with respect to this application remain after consideration of this response.

Respectfully submitted,  
DORITY & MANNING, P.A.

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